

Union Calendar No. 186

109TH CONGRESS
1ST SESSION

H. R. 2695

[Report No. 109–336]

To amend the McKinney-Vento Homeless Assistance Act to protect the personally identifying information of victims of domestic violence, dating violence, sexual assault, and stalking.

IN THE HOUSE OF REPRESENTATIVES

MAY 26, 2005

Ms. MOORE of Wisconsin (for herself and Ms. HARRIS) introduced the following bill; which was referred to the Committee on Financial Services

DECEMBER 13, 2005

Additional sponsors: Mrs. CHRISTENSEN, Mr. CLAY, Ms. LEE, Mr. TOWNS, Mr. PAYNE, Mr. SANDERS, Mr. CONYERS, Mrs. MCCARTHY, Mr. STRICKLAND, Mr. CLEAVER, Ms. WATERS, Ms. SCHAKOWSKY, Mr. CAPUANO, Mr. MCGOVERN, Mr. LAHOOD, Mr. FRANK of Massachusetts, Ms. CARSON, Mr. WYNN, Mrs. CAPPS, Ms. ZOE LOFGREN of California, Mr. CUMMINGS, Ms. MILLENDER-MCDONALD, Ms. ROYBAL-ALLARD, Mr. SCOTT of Virginia, Ms. WASSERMAN SCHULTZ, Mr. MARKEY, Mr. McNULTY, Mr. HINOJOSA, and Mr. DAVIS of Illinois

DECEMBER 13, 2005

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

A BILL

To amend the McKinney-Vento Homeless Assistance Act to protect the personally identifying information of victims

of domestic violence, dating violence, sexual assault, and stalking.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe Housing Identity
 5 Exception for the Lives of Domestic Violence Victims Act”
 6 or the “SHIELD Act”.

7 **SEC. 2. AMENDMENT TO THE MCKINNEY-VENTO HOMELESS**
 8 **ASSISTANCE ACT.**

9 Section 423(a) of the McKinney-Vento Homeless As-
 10 sistance Act (42 U.S.C. 11383(a)) is amended by adding
 11 at the end the following:

12 “(8) CONFIDENTIALITY.—

13 “(A) HOUSING ASSISTANCE GRANTS AND
 14 PROGRAMS.—In the course of awarding grants
 15 or implementing programs under this sub-
 16 section, the Secretary shall instruct any recipi-
 17 ent or subgrantee not to disclose to any person,
 18 agency, or entity any personally identifying in-
 19 formation about any client if the Secretary, re-
 20 cipient, or subgrantee believes, based upon rea-
 21 sonable evidence, that the client is—

22 “(i) a victim of domestic violence, dat-
 23 ing violence, sexual assault, or stalking;

1 “(ii) the parent or guardian of a
2 minor victim of domestic violence, dating
3 violence, sexual assault, or stalking; or

4 “(iii) the dependent or minor child of
5 a victim of domestic violence, dating vio-
6 lence, sexual assault, or stalking.

7 “(B) OTHER FEDERAL AND STATE PRO-
8 GRAMS.—The Secretary shall not require or ask
9 a recipient or subgrantee of any other Federal
10 or State program to disclose personally identi-
11 fying information about any clients if the per-
12 sons, agencies, or entities implementing those
13 programs believe, based upon reasonable evi-
14 dence, that those clients are—

15 “(i) victims of domestic violence, dat-
16 ing violence, sexual assault, or stalking;

17 “(ii) the parents or guardians of
18 minor victims of domestic violence, dating
19 violence, sexual assault, or stalking; or

20 “(iii) the dependents or minor chil-
21 dren of victims of domestic violence, dating
22 violence, sexual assault, or stalking.

23 “(C) HOMELESS MANAGEMENT INFORMA-
24 TION SYSTEMS.—The Secretary shall instruct
25 any recipient or subgrantee under this sub-

1 section or any recipient or subgrantee of any
2 other Federal or State program participating in
3 any homeless management information system
4 funded in whole or in part under this subsection
5 that personally identifying information about
6 any client may only be submitted to a homeless
7 management information system if the program
8 seeking to disclose such information has ob-
9 tained informed, reasonably time-limited, writ-
10 ten consent from the client to whom the infor-
11 mation relates. The Secretary may require or
12 ask any recipient or subgrantee to share non-
13 personally identifying data in the aggregate re-
14 garding services to clients and nonpersonally
15 identifying demographic information in order to
16 comply with the data collection requirements of
17 homeless management information systems.

18 “(D) DEFINITION.—As used in this para-
19 graph, the term personally identifying informa-
20 tion means information from or about an indi-
21 vidual that could be used to identify such indi-
22 vidual, including—

23 “(i) first and last name;

1 “(ii) a home or other physical address,
2 including street name, name of city or
3 town, and ZIP code;

4 “(iii) an email address or other online
5 contact information, such as an instant
6 messaging user identifier or a screen name
7 that reveals an individual’s email address;

8 “(iv) a telephone number;

9 “(v) a social security number;

10 “(vi) an Internet Protocol address or
11 host name that identifies an individual;

12 “(vii) a persistent identifier, such as a
13 customer number held in a ‘cookie’ or
14 processor serial number, that is combined
15 with other available data that identifies an
16 individual; and

17 “(viii) any other information, includ-
18 ing grade point average, date of birth, aca-
19 demic or occupational interests, athletic or
20 extracurricular interests, racial or ethnic
21 background, or religious affiliation, that, in
22 combination with any of the above, would
23 serve to identify any individual.”.

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